

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MICHAEL BROWN,

Plaintiff,

v.

WILLIAM COOL, *et al.*,

Defendants.

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Case No. 2:21-cv-05146

Chief Judge Algenon L. Marbley


Magistrate Judge Kimberly A. Jolson

ORDER

This matter is before the Court on Plaintiff Michael Brown's First Motion for Summary Judgment (ECF No. 43). The Magistrate Judge issued a Report and Recommendation (ECF No. 46) on March 1, 2023, recommending that this Court deny the motion without prejudice to renewal. (And, in fact, Plaintiff has already filed a renewed motion for summary judgment.) In the Report and Recommendation, the Magistrate Judge noted that any objections must be filed within 14 days of the Report, *i.e.*, by March 15, 2023. Since no objections have been filed thereto and the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, this Court **ADOPTS** the Magistrate Judge's Report and Recommendations (ECF No. 43) and **DENIES WITHOUT PREJUDICE** Plaintiff's First Motion for Summary Judgment (ECF No. 43).

This Order has no effect on Plaintiff's Second Motion for Summary Judgment (ECF No. 54) or on Defendants' Motion for Summary Judgment (ECF No. 66), which is not yet ripe.

IT IS SO ORDERED.



ALGENON L. MARBLEY
CHIEF UNITED STATES DISTRICT JUDGE

DATED: August 16, 2023